

Appl. No. 10/631,935
Amdt. Dated
Reply to Office Action of March 2, 2006

REMARKS

Claims 19-28 are pending. Independent claims 19 and 24 have been amended.

Reconsideration of the subject application in view of this Paper is respectfully requested.

On pages 1-3, the Office Action states that claims 19-28 are rejected under

35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Number 5,640,171 to Shimada (hereinafter "Shimada") in view of U.S. Patent Number 5,864,346 to Yokoi et al (hereinafter "Yokoi"). With respect to Applicants' claims as now amended, the rejection of claims 19-28 is respectfully traversed.

A rejection of a claim on the basis of obviousness under 35 U.S.C. 103(a) requires that the prior art teach or suggest the combination as claimed. As may be seen on the attached "Listing of Claims", Applicant has amended independent claims 19 and 24 to recite, respectively, "[a] display apparatus comprising . . . a 2D/3D switching unit adapted to switch said display unit from a three dimensional display to a two dimensional display, if it is detected by said detection unit that said predetermined time is passed", and "[a] method . . . comprising the steps of . . . detecting whether a predetermined time is passed; and switching said display unit from a three dimensional display to a two dimensional display, if it is detected in said detection step that said predetermined time is passed". Shimada and/or Yokoi fail(s) to teach such a construction and associated method.

In regard to Shimada, all that is taught or suggested is the switching of a display mode from a 3D mode to a 2D mode. This occurs by the use of switches or automatically by detecting an identifying signal for 3D or 2D display on the image software (see, column 6, lines

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15-21). Thus, the switching operation fails to take place as a result of a detected passage of a predetermined time period as required by the pending claims.

Yokoi, too, suffers from the failure to teach or suggest switching a display from 3D to 2D when a predetermined time passes. Rather, Yokoi only discloses counting a predetermined period of time in order to determine whether to interrupt a game. Yokoi interrupts the game so that the user is prevented from getting fatigued by a long continuous operation. The game is interrupted for a set time and the user is then asked whether the game should be restarted or stopped, and the appropriate action occurs depending on the user's selection.

Accordingly, after the set time of the interruption, a display 21 in Yokio is not switched from a 3D display to a 2D display, but instead a game is continued or stopped. Thus, Yokoi does not detect whether a predetermined period of time passes in order to switch a display from a 3D display to a 2D display.

Moreover, viewing Shimada in view of Yokoi would simply not result in Applicants' claimed invention. The combination at most might suggest interrupting the image display system in Shimada for a set period of time to avoid the fatigue of the user of the system, but there would no motivation to switch from a 3D display to a 2D display based on detecting the passage of a predetermined period of time.

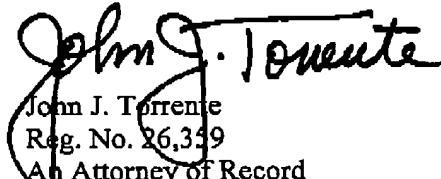
By contrast, and to reiterate, Applicants' claims recite an apparatus, and associated method, requiring switching from a 3D display to a 2D display "if it is detected . . . that [a] predetermined time is passed". Thus, neither Shimada nor Yokoi teach or suggest Applicants' invention, as expressed in amended independent claims 19 and 24, and their respective dependent claims. Accordingly, the rejection as stated in the Office Action under 35 U.S.C. § 103(a) is no longer appropriate; thus, it is kindly requested that it be withdrawn.

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It is respectfully submitted that the claims pending in the subject application patentably distinguish over the references made of record, and that the application is in condition for allowance. Accordingly, allowance of the application is respectfully requested. If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, the undersigned invites the Examiner to telephone Applicant's Counsel directly by calling (212) 790 - 9273.

Dated: April 3, 2006

Respectfully submitted,


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